

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 16-CR-21 (WED)

SAMY M. HAMZEH,

Defendant.

**FIRST PRETRIAL MOTION:
MOTION TO DISMISS**

Samy Hamzeh, by counsel, files this motion to dismiss the Indictment because 26 U.S.C. § 5861 stands as an impermissible exercise of Congress's taxing power. The facts and law supporting this argument are set out in the contemporaneously filed omnibus memorandum.

Dated at Milwaukee, Wisconsin this 24th day of February, 2017.

Respectfully submitted,

/s/ Joseph A. Bugni

Joseph A. Bugni, WI Bar #1062514

Craig W. Albee, WI Bar #1015752

FEDERAL DEFENDER SERVICES

OF WISCONSIN, INC.

517 E. Wisconsin Ave - Rm 182

Milwaukee, WI 53202

Tel.: (414) 221-9900

E-mail: joseph_bugni@fd.org

craig_albee@fd.org

Counsel for Defendant, Samy Hamzeh